



# Memphis and Shelby County Division of Planning and Development

**2015 Certified Neighborhood Leader Training Program**

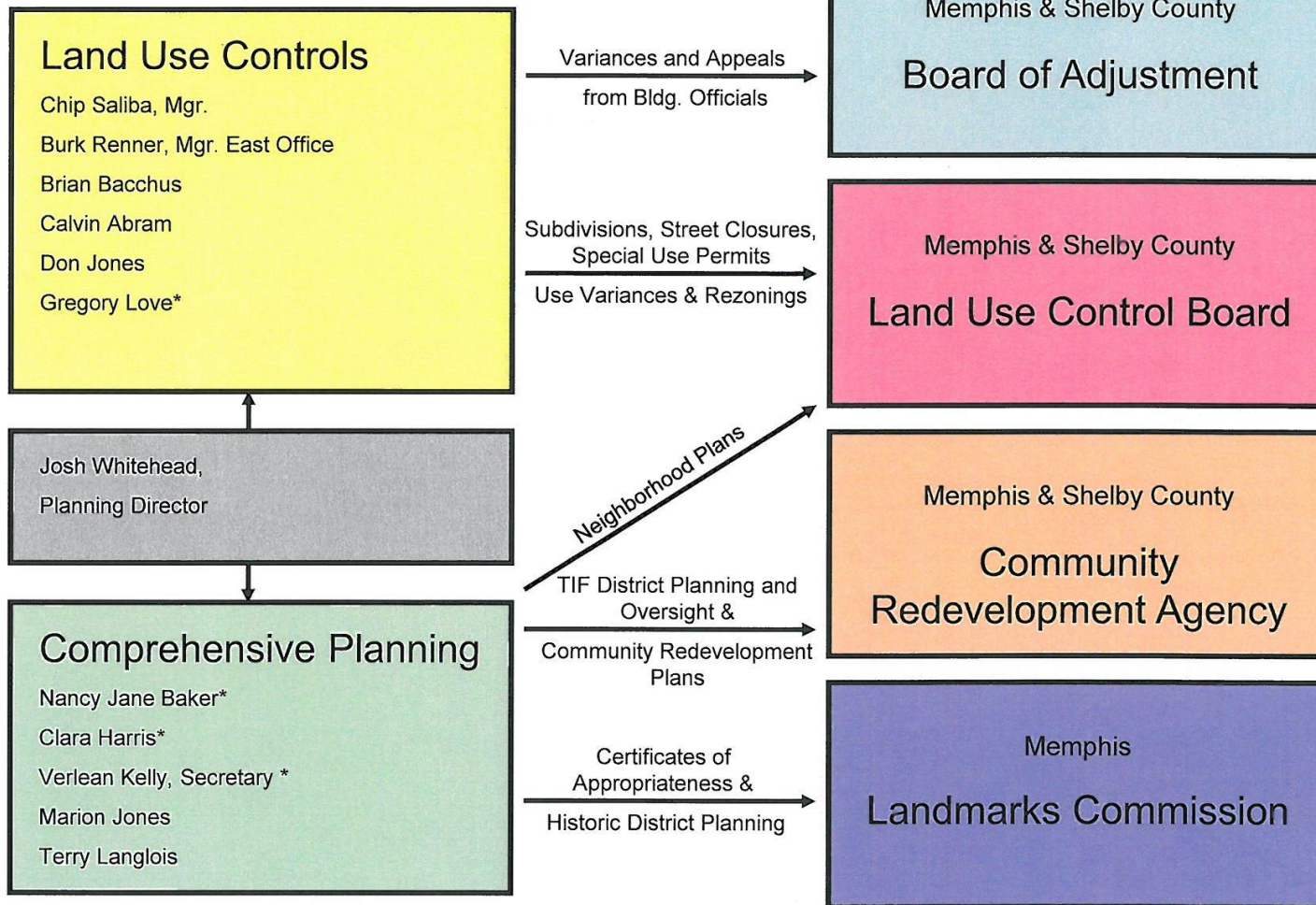
**March 26, 2015**





Memphis and Shelby County

## Office of Planning and Development



\*City employee

# View of Information on Zoning Atlas



# WHAT IS ZONING?

- Regulations pertaining to the development of land.
- Lot Size, Placement of buildings on a lot (setbacks).
- What uses of land are allowed to locate where.



# What Is A Subdivision?

- The division of land into two or more lots for houses, apartments, shopping areas, and places of employment.







# **Zoning/Subdivision Review Considerations**

- **Compatibility with Neighborhood**
- **Compatibility between Land Use and Transportation**
- **Adequate Public Facilities; Roads, Sewers and Drainage**
- **Schools**
- **Conformance with Adopted Plans: Neighborhood Plans**
- **Major Road Plan**
- **Vehicular and Walking Access/Street Network**
- **Topography**
- **Preservation and Replacement of Trees**
- **Landscaping/Street Trees**
- **Existing Zoning**
- **Signs**
- **Parking**



# Sign Posting

Required for Planned Development, Special Use permit, Rezoning and Use Variations





## NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PROPERTY OWNERS

The MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD will hold a public hearing on the following ZONING APPLICATION.

CASE NUMBER: Z 06-125

LOCATION: North side of Clementine Road; ~200 feet west of Darlene Street  
(SEE MAP ON REVERSE SIDE)

APPLICANT: ProUnited Realtors, LLC PROPERTY SIZE: 2.39 Acres

EXISTING ZONING: Duplex Residential (R-D) District

REQUEST: Single Family Residential (R-S6) District

The following PUBLIC HEARING DATE is required as part of the approval process. All interested parties are encouraged to attend.

### THE PUBLIC HEARING WILL BE HELD

DATE:	Thursday, October 12, 2006
TIME:	After 1:00 p.m.
LOCATION:	City Hall Council Chambers, First Floor, 125 N. Main Street

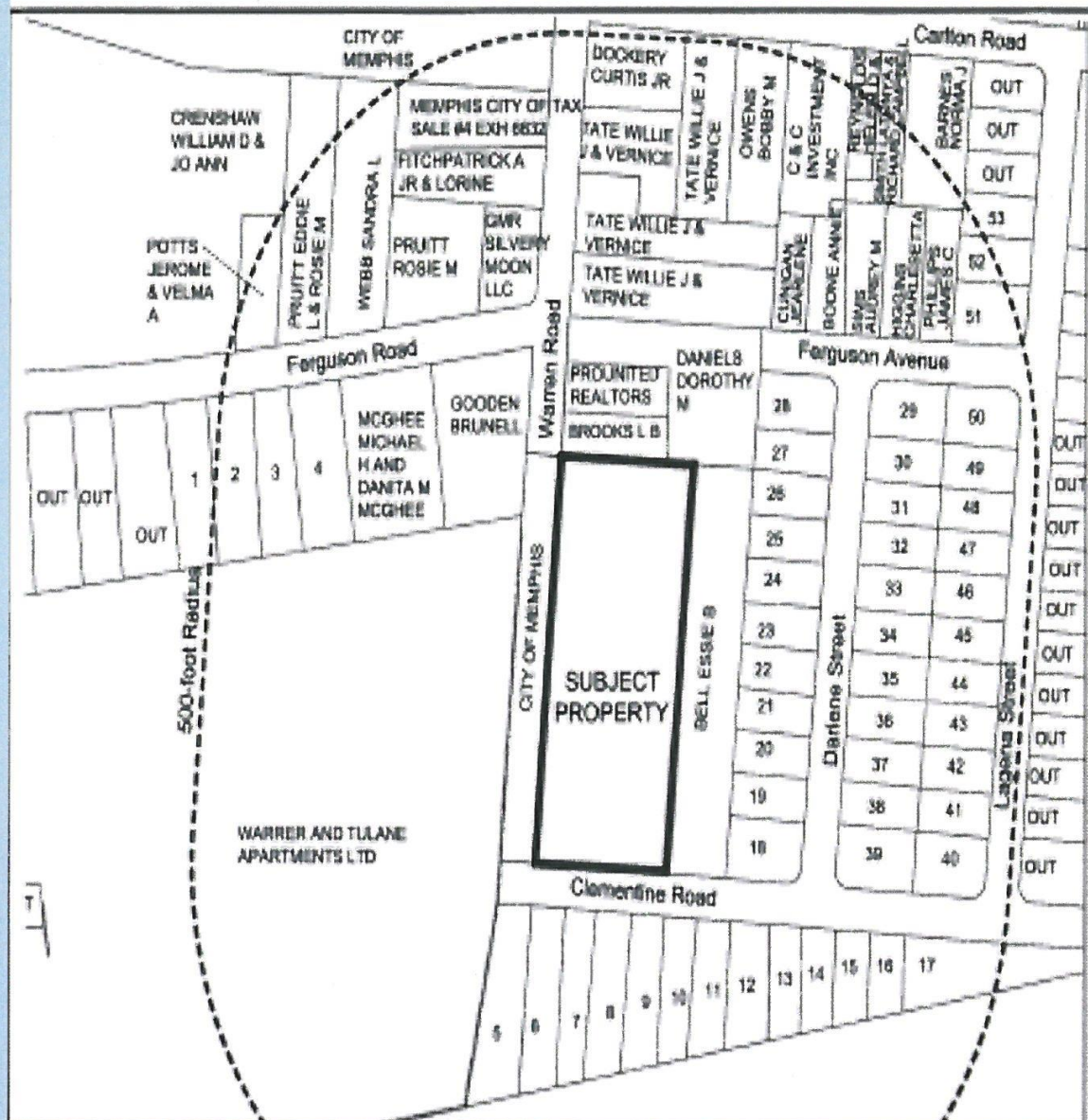
The Land Use Control Board makes recommendations to the Memphis City Council and Shelby County Board of Commissioners pertaining to the use of land and, in some cases, conditions of said use. The City Council and County Commission make the final determination on any recommendation made by the Board.

Unless you care to speak for or against this case, it is not necessary for you to be present. You may write the Office of Planning and Development at the address at the bottom of this notice, stating the reasons for your support or opposition to the request.

MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT  
125 NORTH MAIN STREET, ROOM 476  
MEMPHIS, TENNESSEE PHONE (901) 576-6619









# TYPES OF LAND USE APPLICATIONS

- Rezoning
- Special Use Permit
- Planned Development
- Use Variation
- Subdivision
- Street Closure/Street Dedication
- Street Name Change
- Correspondence
- Special Exception



# DOCUMENTS PREPARED FOR LAND USE REVIEW PROCESS

## LAND USE CONTROL BOARD RECOMMENDATION

CASE #: P.D. 06-345 CC

at a meeting on *Thursday, September 14, 2006*, the Memphis and Shelby County Land Use Control Board held a hearing on the following application requesting a planned development on the property described

North side of Holmes Road; +/-2,700 feet west side of Hacks Cross Road

CORD: William & Paula Sensing and Warren & Alicia Miller

HBT Investments, LLC

E: E.D.S., Inc.

Planned development to allow one-hundred seventy(170) single family homes with minimum lot sizes of 10,000 sq. ft. in area within the Outline Plan.

59.81 Acres

SE & ZONING: One-story brick and frame single family home, including a barn as an accessory structure in Agricultural(AG) District.

ITEM #: \_\_\_\_\_

PREPARED BY: Brian S. Bacchus

COMMISSIONER: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

A JOINT RESOLUTION OF THE CITY OF MEMPHIS AND COUNTY OF SHELBY, TENNESSEE TO AUTHORIZE A PLANNED DEVELOPMENT LOCATED AT THE NORTH SIDE OF EAST HOLMES ROAD; +/-2,700 FEET WEST OF HACKS CROSS ROAD, KNOWN AS STONE CREEK PLANNED DEVELOPMENT, P.D. 06-345 CC.

WHEREAS, Application has been made for a planned development to allow one-hundred seventy(170) single family homes with minimum lot sizes of 10,000 square feet in area within the Outline Plan.

CASE NO. P.D. 06-345 CC

PROPERTY LOCATION: North side of East Holmes Road; +/-2,700 feet west side of Hacks Cross Road

described on the Outline Plan.

The development has received and reviewed the standards for planned development and the existing Ordinance-Regulations, and the availability of public utilities, and whether the design of the development meets its findings and recommendations.

A public hearing was held before the Memphis City Council and County Board of Commissioners on **September 14, 2006** and said Board of Commissioners, after considering the report of the planning commission and the findings of the public hearing, has recommended that the Board of Commissioners grant the planned development.

City Council and County Board of Commissioners.

of granting the planned development to the public safety and health of the community.

THE BOARD OF COMMISSIONERS

## MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT STAFF REPORT

#33

CASE NUMBER: P.D. 06-338 CC

L.U.C.B. MEETING: September 14, 2006

DEVELOPMENT NAME:

Enclave at Sparkle Creek, Phase I, Planned Development

LOCATION:

West side of Pisgah Road; +/-430 feet south of Greybourne Drive

OWNER/ APPLICANT:

Sparkle Creek Partners

REPRESENTATIVE:

W.H. Porter Consultants, PLLC

REQUEST:

44 lot single-family residential developments

AREA:

61 acres

EXISTING LAND USE & ZONING:

Vacant tract in the Agricultural Flood Plain (AG [FP]) and Floodway (FW) Districts

in support of the application

The civil engineer, ... stated agreed to make amendments regarding the Outline Plan.

in opposition of the application

President  
Nash'd Association  
Love  
125

in support of the application, but concerning the new development and size



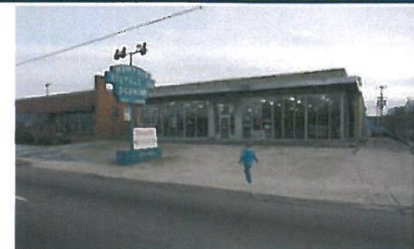
# UDC

## •Some of the New (old) Ideas Include:

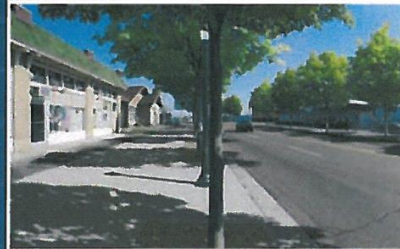
- Allow and promote urban infill development
- Greater opportunities for mixed use
- Pedestrian focused streetscapes
- “Form Based” tool kit
- Block regulations to encourage connectivity
- Expanded use of accessory dwelling units
- Neighborhood Conservation District
- Encourage a diverse range of housing types
- More flexible parking requirements
- Greater emphasis on public realm
- Innovative subdivision types encourage sustainable growth
- Replace suburban standards with urban development standards



Existing conditions



Existing conditions



Public improvements: curbs, street trees, sidewalks, pedestrian lighting



Decorative planting to restrict movement of vehicles



Buildings located closer to sidewalk



Curb and gutter to keep cars and water off sidewalk

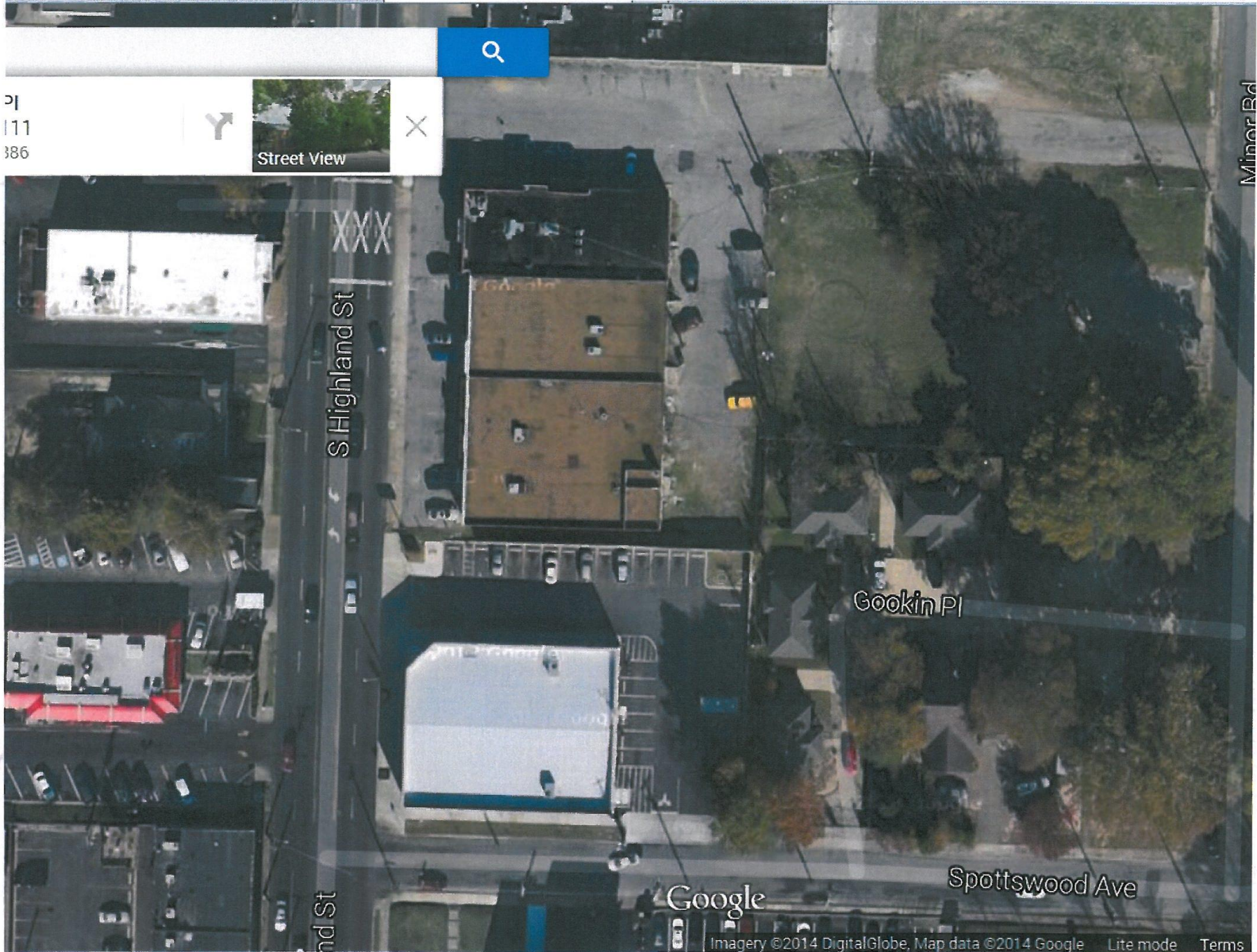












111  
386



Street View



S Highland St

Gookin Pl

Spottswood Ave

Google





## Memphis and Shelby County Division of Planning and Development

### Construction Code Enforcement

- Insures that building construction conforms to local zoning regulations and to the safety standards set forth in the most recent International Building Codes as adopted for use in the City of Memphis, unincorporated Shelby County, Lakeland, Arlington and Germantown
- Reviews plans, issues permits and conducts inspections of new building components, as well as inspecting plumbing, electrical and mechanical systems
- Regulates signs, enforces conditions outlined in the County tree ordinance and other local zoning requirements established by the City of Memphis and Shelby County







## Memphis and Shelby County Division of Planning and Development

### Department of Regional Services/Memphis MPO

- Provides staff to the Memphis Urban Area Metropolitan Planning Organization (MPO) a regional, multi jurisdictional agency responsible for the planning and programming of long range transportation facilities
- Prepares the regional long range transportation and work plan for the Memphis urbanized area which includes Shelby and parts of Fayette and Desoto Counties
- Provides a continuing, cooperative and comprehensive transportation planning process (3-C) required by federal agencies providing funding for this function
- Utilizes a multi-modal planning approach to assure the establishment of a vibrant and growing system of road, rail lines, transit systems, airports and waterways
- Serves as a central repository for transportation related geographic data



**Memphis MPO**  
METROPOLITAN PLANNING ORGANIZATION

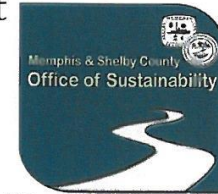






## Memphis and Shelby County Division of Planning and Development

### Office of Sustainability



- Created in April 2011 as the Memphis/Shelby County Office of Sustainability
- Serves as the area's leading advocate and expert for sustainability
- Coordinates regional initiatives promoting sustainable and livable communities
- Administers the HUD Regional Planning Grant awarded for the development of a regional comprehensive plan for parks, greenways, byways, blueways, conservation lands, natural areas, wildlife management areas and open spaces.  
[www.midsouthgreenprint.org](http://www.midsouthgreenprint.org)
- Serves as the regional expert on efforts to reduce global warming emissions, increase energy efficiency and the use of renewable energy, waste reduction and recycling, sustainable economic development, sustainable food systems, and green building practices
- Implements strategies outlined in the Sustainable Shelby Plan that contains 151 strategies to guide the region's sustainable practices







Memphis and Shelby County  
Division of Planning and Development

CITY HALL 125 NORTH MAIN STREET MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

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## Memphis and Shelby County Division of Planning and Development

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## Memphis and Shelby County Division of Planning and Development

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## Office of Planning and Development: Land Use Controls

The Land Use Control Section (LUC) of the [Office of Planning and Development](#) processes and analyzes applications for zoning changes, subdivision of property, and land development actions. LUC serves as the staff to the Memphis and Shelby County [Land Use Control Board](#) and [Board of Adjustment](#).

*Note: The Office of Construction Code Enforcement (the "Building Department") handles all zoning enforcement, sign permits and building permits in Memphis and unincorporated Shelby County.*

## The Zoning Code

[\(The Unified Development Code\)](#)

To download the current Unified Development Code (the "UDC"), which serves as the Zoning Code and Subdivision Regulations for the City of Memphis and unincorporated Shelby County, click [here](#).

Click [here](#) to view the blog that chronicles the history of the amendments to the UDC.

## Zoning Atlas and Maps

- Click [here](#) to view the Zoning Atlas for Memphis and Shelby County.
- Click [here](#) to view a map showing the arterial and collector streets throughout Memphis and Shelby County. Various sections of the UDC reference arterial and collector streets. [Here](#) is a link to the homepage of the Memphis Metropolitan Planning Organization, which contains an interactive map showing these arterial and collector streets.

## Overlay Districts

- Click [here](#) to view a map of the Overlay and Special Purpose districts throughout Memphis.
- Click [here](#) to view a list of projects approved in the Overlay Districts since their separate inception.
- In the time period between July 1, 2012, and June 30, 2014, 1346 new commercial and residential building permits were issued in Memphis and unincorporated Shelby County. Of these, 7.9% required Board of Adjustment action. Inside the Overlay districts, 24 new building permits were issued, 70.8% of which required Board action. Outside the Overlay districts, 6.7% of the permits required Board action. Click [here](#) to view the data on permits issued inside and outside the Overlay districts.

## Pending Applications

Each month, all Board of Adjustment and Land Use Control Board applications that are filed with the Office of Planning and Development will be posted on this website.

## Board of Adjustment

- Click [here](#) to view pending applications to the Board of Adjustment. The agenda for the next Board meeting will be posted on [this page](#) the Friday before the meeting; please check the agenda to see if a particular application is being heard at a particular meeting. Pending applications will be removed from the website once a staff report is completed and posted on [this page](#).

## Land Use Control Board

- Click [here](#) to view pending applications to the Land Use Control Board. The agenda for the next Board meeting will be posted on [this page](#) the Friday before the meeting; please check the agenda to see if a particular application is being heard at a particular meeting. Pending applications will be removed from the website once a staff report is completed and posted on [this page](#).

## Application Forms

## Review Tables

Click [here](#) to view the table that summarizes the departments, boards and bodies that review the following applications (this is derived from Section 9.2.2 of the UDC).

Click [here](#) to view the table that summarizes the public hearing and notification requirements for the following applications



(this is derived from Sub-Section 9.3.4A of the UDC).

Click [here](#) to view the timetable for various types of relief under the UDC (a comparison of the administrative deviation, variance and planned development processes).

#### Sign Posting

Some of the applications below require a sign to be posted on the site, according to [Section 9.3.4A](#) of the UDC (look for the items with an "SP" indicated under the column entitled "Sign Posted"). [This document](#) explains the sign posting requirements, which also requires the applicant to fill out and sign an [affidavit](#) or take a photograph of the sign on the site. Click [here](#) to download a template of the sign as a Word document.

#### Neighborhood Notification

A few of the applications below (some rezonings and all new planned developments, special use permits and major subdivisions) require a neighborhood meeting prior to the Land Use Control Board. Click [here](#) for instructions on the neighborhood meeting. The annual calendar of Land Use Controls deadlines that is available below on this page includes the monthly deadline by which applicants must submit their neighborhood meeting notices to OPD for mailing. The UDC requires that all neighborhood associations within 1500 feet of a subject site must receive notice of the neighborhood meeting. To achieve this, it is suggested that notification be given to all associations within the planning district of the subject site.

[Here](#) is an updated list of the neighborhood association inside the City of Memphis prepared by the [City of Memphis Office of Community Affairs](#), sorted by planning district. This list contains some associations in unincorporated Shelby County. [Here](#) is the list of the neighborhood associations in unincorporated Shelby County; some of which are not included in the list prepared by the Office of Community Affairs.

This [map](#) contains the planning districts of Memphis and Shelby County and should assist in the determination of the district in which a subject site lies.

#### Land Use Control Board Applications

##### Planned Developments (PDs)

- [New Planned Development/Amendment to Existing Planned Development](#)
- [Instructions on Neighborhood Meetings](#)
- [Major Modification to Existing Planned Development/LUCB Site Plan Approval \(Correspondence Case\)](#)
- [Minor Modification to Existing Planned Development](#)

##### Special Use Permits (SUPs)

- [New Special Use Permit/Amendment to Existing Special Use Permit](#)
- [Instructions on Neighborhood Meetings](#)
- [Major Modification to Existing Special Use Permit](#)
- [Minor Modification to Existing Special Use Permit](#)
- [Waiver for Hotels and Motels](#)

##### Subdivisions

- [New Major Subdivision](#)
- [Instructions for Neighborhood Meetings](#)
- [New Minor Subdivision](#)
- [Minor Modification/Plat Revision to Existing Subdivision](#)
- [Final Plat Checklist](#)

\*For a major modification to an existing subdivisions, please use the "New Major/Minor Subdivision Application."

##### Rezoning (also known as Zoning District Reclassification or Zoning Map Amendment)

- [Rezoning](#)
- [Instructions for Neighborhood Meetings](#)
- [Residential Corridor Revocation](#)

##### Street Name Change, Closure and Dedication

- [Street Name Change](#)
- [Street or Alley Closure\\*](#)
- [Street or Alley Closure - Time Extension to Previously Approved Closure](#)
- [Street Dedication](#)
- [Letter explaining the private-to-public street conversion process](#)

\*For right-of-way vacations, physical closures and public-to-private street conversions

Please note: In certain situations, right-of-way may be vacated administratively if it was purchased by the City of Memphis rather than dedicated. To determine if one of those situations apply, please see Section (4) of [this ordinance](#).

##### Plat Revocation (for both Subdivisions and Planned Developments)

- [Plat Revocation](#)

##### Special Exceptions

- [Special Exception](#)

##### Other Forms

- [Ownership disclosure form](#) (If owner(s) is not included on application)
- [Gratuity disclosure form](#) (for all items that will be heard by the Board of County Commissioners)
- [Lobbyist Registration form](#) (for anyone hired to represent a case heard by the Board of County Commissioners)



- [Lobbyist Expenditure Report](#) (for any lobbyist before the Board of County Commissioners who has given campaign contributions in excess of \$100 annually to any member of the Board of County Commissioners or other elected or appointed official)

#### Board of Adjustment Applications

- [Variance](#)
- [Appeal of an Administrative Interpretation of the UDC](#)
- [Correspondence Case \(modification or time extension to a previously approved Board project\)](#)
- [Conditional Use Permit](#)
- [Section 2.4.5 Zoning District Boundary Extension](#)
- [Change in Nonconforming Use Permit](#)
- [Ownership disclosure form](#) (if owner(s) is not included on application)

#### Administrative Applications

##### Administrative Deviations

Some standards of the UDC may be waived by the Planning Director if certain conditions exist on a particular piece of property.

See [this document](#) for a complete list of standards eligible for administrative deviations.

- [Application for Administrative Deviation](#)
- Beginning September 5, 2014, all administrative deviations filed with the Office of Planning and Development will be placed on [this page](#) and be numbered chronologically. The Office of Planning and Development has made its best effort to place all administrative deviations filed prior to September 5, 2014, on this page, as well.

##### Special Purpose and Overlay District Review

- [Administrative Site Plan Review](#) in the special purpose and overlay districts

\*Note: administrative site plan review outside of the special purpose and overlay districts is processed by the [Office of Construction Code Enforcement](#).

##### Tree Permit

- [Notice of Intent - Application for Tree Removal](#)

##### Zoning Letters\*

- [Zoning letter application](#)
- [Zoning letter explanation](#)
- Sign permits - contact [Rose Hill](#) at 222-8374

\*Note: For assistance on zoning letters, please contact the Land Use Controls - East office.

##### Building Permits

Building permits are issued by the [Office of Construction Code Enforcement](#) (OCCE). All permits issued by OCCE may be retrieved on [this website](#).

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#### Deadlines and Fees

- Click [here](#) to view the 2015 Application Deadlines
- Click [here](#) to view the approved Fee Schedule, which includes fees for all Land Use Control Board, Board of Adjustment and LUC administrative items.
- Click [here](#) to view the Fee Refund Resolution, which provides for refunds for fees if an application is withdrawn.

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#### Historic Zoning Codes and Maps

Older zoning codes and maps may assist with the determination of whether an existing structure or use is legal, non-conforming. To be considered non-conforming, and therefore "grandfathered" under the older zoning codes, the structure or use must have conformed to the code in place at the time it was established.

##### Zoning Codes

**1981 Zoning Code and Subdivision Regulations** Click [here](#) to download the 1981 Zoning Code and Subdivision Regulations as they existing in 2007 (shortly before the adoption of the Unified Development Code). Go to Title 15 for the Subdivision Regulations (page 253 of the document) and Title 16 for the Zoning Code (page 317 of the document).

**1955 Zoning Code** Click [here](#) to download the 1955 Zoning Code. Prior to the adoption of the 1981 Zoning Code, the last prior overhaul to the Code was in 1955, which coincided with the merger of the Memphis and Shelby County Planning Commissions.

**1922 Zoning Code** Click [here](#) to download the 1922 Zoning Code. This was the first zoning code not only in Memphis, but in the State of Tennessee.

##### Zoning Maps

**1960 Zoning Map** [Here](#) is the zoning map for the 5-mile zone outside of the City of Memphis in place in 1960.

##### 1953 Zoning Maps

- Click [here](#) for the zoning map for the [west half](#) of the City of Memphis in 1953 (west of Trezevant/East Parkway/Airways).
- Click [here](#) for the zoning map for the [northeast quadrant](#) of the City in 1953 (east of Trezevant/East Parkway and north of Walnut Grove).



- Click [here](#) for the zoning map for the *southeast quadrant* of the City in 1953 (east of East Parkway/Airways and south of Walnut Grove).
- Click [here](#) for the zoning map for the *west half* of the 5-mile zone in 1953 (primarily Westwood).
- Click [here](#) for the zoning map for the *east half* of the 5-mile zone in 1953 (Whitehaven, Frayser, Raleigh, Bartlett, Germantown, Capleville and Far East Memphis).

1922 Zoning Map Click [here](#) to download the zoning map that was in place for the City of Memphis in 1922.

### Land Use Controls Staff

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Memphis, TN 38104

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Comments or suggestions on the helpfulness of this website should be emailed to Josh Whitehead.

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